

REMARKS

Claims 1 - 20 are pending in the application.

Claims 1, 2, 5-12 and 16-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,278,671 issued to Gotoh et al. Claims 3, 4, and 13-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,278,671 issued to Gotoh et al. Applicants respectfully traverse the rejections and request reconsideration and full allowance of all pending claims.

Gotoh discloses a method of forming a barcode on an optical medium by over-writing information etched in the optical medium.

Claim 1 recites, in part, “a first set of embedded information stored at the first layer within a first range of radii of the optical medium; and a second set of embedded information stored at the second layer aligned to substantially overlap the first set of information.”

Claim 11 recites, in part, “embedding a first set of information in a first layer at a predetermined radius of the optical medium; embedding a second set of information in a second layer at the predetermined radius of the optical medium.”

Claim 17 recites, in part, “an optical media identification module interfaced with the pickup head and operable to determine identification information read from first and second aligned embedded information areas, the first embedded information area in a first layer of the optical medium, the second embedded information area in a second layer of the optical medium.”

Gotoh cannot anticipate Claims 1, 11 and 17 because Gotoh fails to teach, disclose or suggest all elements recited by Claims 1, 11 and 17. For example, Gotoh fails to teach, disclose or suggest information embedded at first and second layers of an optical medium as is recited by Claims 1, 11 and 17. Gotoh seeks to add security information to an optical medium after information is stamped onto the optical medium. Gotoh adds the security information by laser over-writing of the stamped information. The laser over writing causes the reflective surface of the stamped information to lose its reflective properties and thus appear as a blank spot on the

optical medium. By over writing stripes of the stamped information, Gotoh creates a bar code within the stamped area. However, both the stamped information and the bar code information are recorded in the same layer of the optical medium. Accordingly, Gotoh cannot anticipate Claims 1, 11 and 17, which each recite information at both a first and a second layer of an optical medium. Applicants therefore respectfully request that the Examiner withdraw the rejections of Claims 1-20 and issue the present application without further delay.

CONCLUSION

In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

The Commissioner is authorized to deduct any fees which may be necessary and to credit any overpayment to Deposit Account No. 502264.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on March 26, 2007.

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Respectfully submitted,

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